

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Patent Application No. 09/900,674

Confirmation No. 6698

Applicant: Nyhan, et al.

Filed: July 6, 2001

TC/AU: 3623

Examiner: Boyce, Andre D.

Docket No.: 211367

Customer No.: 23460

APPELLANTS' REPLY UNDER 37 C.F.R. SECTION 41.41

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the Answer mailed on September 19, 2011.

Appellants hereby respectfully request allowance of the pending claims for the reasons set forth in Appellants' Brief filed on June 22, 2011, and for the further reasons stated herein.

Appellants note the Answer's reference to the previous Decision of the Board relating to this application, the claims of which were subsequently amended in view of guidance provided in the Board's Decision. Appellants agree that the previous Decision relates to this Appeal, and inadvertently did not reference the Decision in the Appeal Brief. It has been properly referenced and attached to the Answer.

Status of Claims

Claims 1, 3, 5-17, 21-24 and 26-33 are presently pending in this application.

Claims 2, 4, 18-20, and 25 were previously canceled.

Claims 1, 3, 5-7, 9-17, 21 and 26-33 stand finally rejected, and these rejections are presently being appealed.

Claims 8 and 22-24 are objected to as depending from a rejected base claim, but are otherwise allowable.

A complete listing of these claims appears in the Claims Appendix.

Grounds of Rejection to be reviewed on Appeal

The grounds of rejection to be reviewed on appeal are the grounds stated in the Final Office Action mailed on October 20, 2010.

1. Claims 1, 3, 5-7, 11-17, 26-27, and 33 are rejected as obvious under 35 U.S.C. §103(a) over Smith et al. U.S. Pub. App. 2002/0128898 (Smith) in view of de Ment U.S. Pat. No. 6,728,755 (de Ment).
2. Claims 9-10, 21 and 28-32 are rejected as obvious under 35 U.S.C. §103(a) over Smith in view of de Ment and Winn U.S. Pat. No. 6,901,424 (Winn).

Argument in Reply to the Answer

Appellants have carefully reviewed the Examiner's Answer. The Grounds of Rejection Section (9) of the Answer, beginning at page 4 and ending at page 20, with minor exception, restates the grounds recited in the Final Office Action from which the present appeal was taken. Appellants have addressed the Answer's grounds for rejection in the previously filed appeal brief, and thus Appellants will not repeat these arguments. However, the discussion below reiterates points previously made by Appellants to address points raised in the Answer's Response to Argument (Section 10, Answer, pp. 21-29).

Appellants note the allegation by the Answer, at page 22, that Appellants now seek to, for the most part, reargue issues raised previously decided in the Board's Decision. Quite the contrary, Appellants amended their claims in view of the Board's Decision to clarify and distinguish their claimed invention. It is these distinctions, and the differences between the claimed invention and prior art teachings arising from the clarification, for which Appellants now seek the Board's review with regard to, at least, independent claim 1.

Moreover, Appellants took the opportunity to amend claim 1, in view of the Board Decision's invitation, based upon the new grounds for rejecting Appellants' previously pending claim 1. Appellants never conceded that the rejection of any of the dependent claims was proper. Thus, to the extent Appellants have repeated arguments from their previous appeal, it is in the context of requesting the Board's "reconsideration" of the grounds for rejection (as is their right).

In particular, the claims were modified in view of the Decision to *unequivocally distinguish an on-line survey solicitation and a subsequently presented on-line survey*. The prior art upon which the Decision relies unequivocally records previously presented "surveys" as opposed to "survey solicitations" as recited in the claims. At least this recited element (contained in each of the presently pending independent claims) is not disclosed in the prior art references. For at least this reason a *prima facie* case of obviousness has not been established, and Appellants submit that the claims, as currently presented, are patentable over the prior art.

For the reasons presented herein, the combined teachings of Smith, de Ment, and Winn do not render the claimed invention obvious.

1. Rejection of Claims 1, 3, 5-7, 11-17, 26-27 and 33 Over Smith and de Ment

Rejection of Claims 1, 3, 5, 12, 13, 14, 16, 26, 27, and 33

Appellants request reversal of the final rejection of **claim 1** as obvious over Smith in view of de Ment. Appellants previously identified four (4) elements recited in previously amended (and thus clarified) claim 1 that are neither disclosed nor suggested by the combined teachings of Smith and de Ment. Each of these four elements is discussed below.

(1) The recited "issuing" step

Appellants' claimed "issuing" step is recited as follows:

"issuing, by the user computer in association with processing the received web page, a request to an ad server, for a block of data comprising computer-readable instructions for presenting the on-line advertisement via the browser"

The "issuing" step (corresponding to Step C in FIG. 1 of Appellant's application) arises from the user computer processing a received web page and includes sending a request to an ad server. More particularly, the claimed "issuing" step relates to actions taken by the user computer to obtain a block of data from an ad server comprising instructions for presenting an *on-line advertisement* via the user computer's browser.

The Answer admits at page 5, last paragraph, Smith does not disclose a user computer issuing a request to an ad server in association with processing a previously received web page. Moreover, the Answer does not identify a teaching of Appellants' specifically claimed "issuing" step in de Ment.

Instead the Answer, at the bottom of page 22, relies upon de Ment's commencement of a pop-up survey routine in response to a user invoking a web tool corresponding to "any action" desired by a designer. The Answer has thus relied upon de Ment's **general statement of "any action"** to support the specific on-line advertisement delivery mechanism recited in Appellants' "issuing" step. A general/generic statement cannot serve as a teaching of a specific/particular action such as the one recited in Appellants' claimed "issuing" step that the Answer has acknowledged is not disclosed in Smith. **Moreover, Appellants' claimed "issuing" step is directed to how an on-line ad block is initially requested, not how a pop-up survey routine is commenced (as described in cols. 3, 11 and 10-14 of de Ment cited in the Answer).**

(2) *The recited "sending" step*

Appellants' claimed "sending" step is recited as follows:

"sending, by the ad server in response to the issued request from the user computer, the block of data including computer-readable instructions for presenting the on-line advertisement and the block of data further including additional computer-readable instructions that facilitate decision-making steps for determining whether to present an on-line survey solicitation via the browser client, wherein acceptance of the on-line survey solicitation by the user results in presentation of an on-line survey via the browser client"

The Answer, at page 5, states that the "wherein" clause at the end of the "sending" step is disclosed at paragraph [0124] of Smith that describes banner ads that, when selected by a user, cause a survey to be presented. However, the Answer expressly admits at page 5, last four lines, that Smith does not disclose the preceding parts of the recited sending step. Appellants submit that the "sending" step is also not present in de Ment.

Appellants previously noted that that the "sending" step is performed by the ad server in response to the "issuing" step that, as explained above, is not described in either Smith or de Ment. For at least this reason alone, the "sending" step is not disclosed by either Smith or de Ment. The Answer's discussion of de Ment, beginning at page 23 and carrying over to the top of page 24, with regard to Appellants' claimed "sending" step, focuses entirely on de Ment's description of a pop-up survey decision process (i.e., the latter part of the recited "sending" step. However, *the Answer still does not identify Appellants' specifically recited delivery mechanism* for the "additional computer-readable instructions that facilitate decision-making steps."

Moreover, Appellants' decision-making process relates to determining whether to present an "on-line survey solicitation" wherein "acceptance of the on-line survey solicitation by the user results in presentation of an on-line survey." The "sending" step recites additional computer-readable instructions are contained within the block of data provided by the ad server that facilitate decision-making steps for determining *whether to present* an on-line survey *solicitation* (emphasis added).

Appellants' claim amendment, responding to the Board Decision's grounds for rejecting previously appealed claim 1, unequivocally distinguishes between a solicitation to take a survey and presenting the survey in response to a user's affirmative response to the on-line solicitation. The Answer admits that Smith does not disclose the claimed "decision-making steps" for determining whether to present an on-line survey solicitation. Appellants

thus note again that **de Ment and Smith both concern decision-making relating to presentation of a particular *survey* and not a *survey solicitation***. Neither Smith nor de Ment discloses Appellants' claimed "instructions that facilitate decision making steps for determining whether to present an on-line survey solicitation."

Finally, it would not have been obvious to modify Smith in view of de Ment, since Smith does not express any need to limit the quantity/frequency of survey solicitations presented to users. Smith, in contrast to the aforementioned claim elements relating to presenting a *solicitation to take a survey*, discloses determining *which survey* a user will be presented. The Answer identified portions of Smith relating to *selecting a particular survey* rather than determining *whether to present an on-line survey solicitation via the browser client*. Therefore, for this additional reason Smith would not have been modified in view of de Ment's teachings to incorporate the recited "sending" step.

(3) *The recited "accessing" step*

Appellants' claimed "accessing" step is recited as follows:

"accessing, on the user computer, a timestamp value indicative of a period of time that has passed since the on-line survey solicitation was previously presented by the browser client"

The "accessing" step recites the additional action of reading a timestamp value to determine a period of time that has passed since a user was last *solicited to take a survey*. The accessing step thus ensures that an unwilling user will not receive repeated *solicitations to take a survey*.

The Answer, at the bottom of page 7, admits that Smith does not disclose the claimed "accessing" step. The Answer, at pages 8 and 9, describes, and then applies de Ment's disclosure of a timestamp (for a presented survey) to Smith's survey presentation method. Appellants initially reiterate that de Ment tracks when a *survey* was last taken by a user -- not (as claimed) when a *survey solicitation* was last presented. If anything, the combination of Smith and de Ment results in a system where timestamps are used to enforce a minimum wait period between *taking a survey*.

Furthermore, while previously stated, Appellants believe it is worth repeating that there is *no reason to modify Smith in view of de Ment such that Smith would include Appellants' recited "accessing" step*. Smith discloses reading a cookie to determine whether a user has *taken a survey*. Smith is directed to preventing users from taking multiple surveys of a same type. Thus, it is not necessary (or even desirable) for a *timestamp* (such as de Ment's)

to be used in association with Smith's presentation of a *survey*. It is unlikely that the survey administrator, operating in Smith's survey presentation system, would *ever* want a user to take a particular survey more than one time. Therefore, a *timestamp*, disclosed in de Ment, would not be considered useful in Smith's on-line survey presentation method because *merely noting the survey was taken is sufficient to prevent users from taking a survey multiple times*. For this additional reason the combined teachings of Smith and de Ment do not render the claimed invention obvious.

(4) The recited "executing the additional ... instructions" step

Appellants' claimed "executing" step is recited as follows:

"executing the additional computer-readable instructions if the timestamp value indicates passage of a period of time satisfying a prescribed wait period between consecutive presentations of the on-line survey solicitation by the browser client on the user computer"

Appellants claimed "additional computer-readable instructions" are embedded within a downloaded *block of data from an ad server* and "facilitate decision-making steps for determining whether to present an on-line survey solicitation via the browser client." The "executing" step, taken in combination with the previously recited "issuing", "sending", and "accessing" steps, requires: (1) downloading, within an ad data block from an ad server, additional instructions for determining *whether* to present an *on-line survey solicitation*, and (2) executing the additional instructions if a timestamp accessed on the user computer indicates a sufficient period of time has passed since a previous *on-line survey solicitation*.

The Answer admits, at the bottom of page 7, that Smith does not disclose Appellants' claimed "executing" step. The Answer, while thereafter referencing de Ment to show the existence of timestamps, does not identify any teaching in de Ment that corresponds to the recited timestamp identifying a period of time that has passed since an "on-line survey solicitation" which Appellants' claim 1, specifically amended in view of the previous Board Decision, now specifically distinguishes from a later presented "on-line survey." De Ment instead measures a time period since a last *survey* was presented to a user.

Moreover, de Ment's "decision step 216" does not lead to execution of additional instructions embedded within a *data block downloaded from an ad server*. In fact, neither Smith nor de Ment discloses such instructions being downloaded in a data block from an ad server. **In the event the rejection is not withdrawn/reversed, Appellants specifically**

request identification of a teaching within either Smith or de Ment that such additional instructions are downloaded in a data block from an ad server.

Appellants have identified several elements of **claim 1** that are simply not disclosed in either Smith or de Ment. Furthermore, the Answer does not present any logically sustainable reason (other than hindsight perhaps) for one skilled in the art to modify Smith to include a timestamp (indicating the last time a user participated in a survey) since Smith does not indicate any desirability in having users retake a survey (and in fact discloses just the opposite).

Appellants seek reversal of the other independent and dependent claims grouped with claim 1 (including each of the independent claims) in this section for at least the reasons recited for claim 1.

The Rejection of Claim 6

The Answer, at page 26, purports to address Appellants' arguments regarding claim 6. Both Smith and de Ment record *actual survey completions*. The Answers' remarks at page 26 suggest that Appellant is arguing limitations that are not present in claim 6. However, Appellants stand by their previous argument that Smith and de Ment disclose systems that prevent a user from taking the same survey multiple times, but neither reference discloses a need to limit repeated *solicitations to take a survey* or address such need by recording a timestamp indicating when a user was previously *solicited to take a survey*. De Ment clearly teaches that when a user declines an invitation to take a survey (step 230, "NO" option) the method passes directly to the Web tool step without registering the *survey solicitation* event. *See*, de Ment, column 3, lines 38-41. Moreover, Appellants, for the reasons stated herein above with regard to claim 1, submit that Smith does not have any need for a timestamp indicating *when* (as opposed to "whether") a survey was taken by a user since Smith's system dictates that each survey is only taken once.

The Rejection of Claims 7 and 15

Appellants specifically seek reversal of the rejection of **claims 7 and 15**. Claims 7 and 15 recite elements relating to "on-line survey solicitations." Appellants' previous claim amendments, responding to the Board Decision, clearly distinguish "survey solicitations" and actual "surveys" completed by users. Smith's disclosure is unequivocally directed to tracking "surveys" taken and not "survey solicitations" issued to a user.

Appellants furthermore note that paragraphs [0129-0130] of Smith disclose limiting a "quantity" of surveys taken by a particular user rather than a "frequency" (how often) with which solicitations are presented to a particular user computer. Moreover, De Ment only stores timestamps for "completed surveys." Thus, de Ment does not track previously presented, but declined, presentations of survey solicitations. As such, there is no way for de Ment to control the frequency of survey solicitations.

The Rejection of Claim 11

Appellants seek reversal of the rejection of **claim 11**. Appellants note that the Answer's argument (regarding the re-phrasing of the recited claim elements) does not consider "context" provided by Appellants' description in view of antecedent basis for terms within the claim. The Answer disregards the context provided by Appellants to aid understanding of the claim element (instead of reading the claim element in a vacuum – which lead to the Answer's inconsistent application of the references to the claim elements).

Appellants thus reiterate that neither Smith nor de Ment discloses linking the survey questions to a product or service advertised in the on-line advertisement provided in the block of data downloaded from the ad server (as called for in claim 11). The portions of de Ment referenced in the Answer neither disclose nor suggest the survey questions are linked to an *on-line advertisement* contained within the previously provided block of data from the ad server.

The Rejection of Claim 17

Appellants specifically seek reversal of the rejection of **claim 17**. The rejection of claim 17, like the rejection of claim 1, does not distinguish between an initially downloaded web page and a subsequently requested ad block, by a user computer, from an advertisement server. The Answer disregards Appellants' specific request for the Answer's: (1) identification of the recited advertisement server, and (2) application of Smith and de Ment to the recited requesting and sending steps.

2. Rejection of Claims 9-10, 21 and 28-32 Over Smith in View of de Ment and Winn

Claims 9-10, 21 and 28-31

Appellants request reversal of the final rejection of **claim 9** as obvious over Smith in view of de Ment and Winn. The Answer does not identify any teaching in any of the three cited references directed to Appellants claimed element of *changing a frequency parameter in accordance with an amount of time remaining in a campaign*. See, claim 9. The Answer refers to paragraphs [0129-0130] of Smith as disclosing the claimed frequency parameter. However, these paragraphs of Smith unequivocally describes allowing a user to take a particular survey only once and removing banners from which the surveys are launched when a specified number of surveys are completed. Nowhere is there any mention of “frequency” for presenting survey solicitations in Smith.

Appellants submit there are many ways to ensure that a sufficient number of surveys are taken (increasing ads linked to surveys, expanding survey time frames, calculating a higher frequency value from the beginning, relaxing stringency of candidate selections, increasing values of rewards for taking a survey, etc.).

Moreover, Appellants submit that the time-based frequency parameter determination does not necessarily improve performance of the system. Rather, such adjustment potentially leads to an undesirably high frequency value arising from a need to meet a specific campaign deadline. There are many factors that can potentially be used to dynamically specify the frequency parameter. The rejection of claim 9 is instead the product of a hindsight deconstruction of Appellants' claimed invention.

The rejection of Claim 32

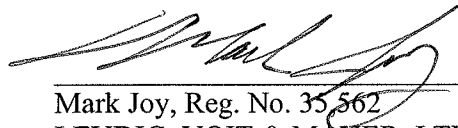
Appellants specifically seek reversal of the rejection of claim 32 as obvious over Smith in view of de Ment, Winn and Official Notice. URLs are indeed well known. However, the Answer, in attempting to address Appellants' argument on appeal fails to address Appellants' primary point that “nowhere in the cited references is there a suggestion to “append the randomly generated value to the URL used by a browser to contact the survey logic server.” Moreover, the Answer reiterates that a URL includes “numbers that indicate file locations t which the URL will link.” In that case, Appellants request further explanation of what use their claimed “random” number has for specifying a file location.

The Answer does not provide any reason why such combination would have been desired in Smith's modified system. In fact, there does not appear to be any useful purpose for appending such random number to a user request for a survey solicitation. The rejection of claim 32 is another case of using impermissible hindsight to guide a determination of "obviousness". **Appellants request identification of a reference in support of this rejection in the event the rejection of claim 32 is not withdrawn/reversed.**

Conclusion

The claimed invention facilitates resubmitting, to a user computer, an invitation to take a survey assuming a sufficient amount of time has passed since a previous *solicitation to take a survey*. Appellants have identified substantial differences between the invention recited in independent claims 1, 13 and 17 and the disclosure of the references cited in the Final Office Action. Thus, Appellants request withdrawal/reversal of the obviousness rejection of each of the presently pending claims.

Respectfully submitted,



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Date: November 21, 2011

Claims Appendix

1. (Previously presented) A method for conducting an on-line survey in association with presentation of an on-line advertisement by a browser client, the method comprising:

receiving, by a user computer hosting the browser client, a web page configured to display an on-line advertisement;

issuing, by the user computer in association with processing the received web page, a request to an ad server, for a block of data comprising computer-readable instructions for presenting the on-line advertisement via the browser client;

sending, by the ad server in response to the issued request from the user computer, the block of data including computer-readable instructions for presenting the on-line advertisement and the block of data further including additional computer-readable instructions that facilitate decision-making steps for determining whether to present an on-line survey solicitation via the browser client, wherein acceptance of the on-line survey solicitation by the user results in presentation of an on-line survey via the browser client;

accessing, on the user computer, a timestamp value indicative of a period of time that has passed since the on-line survey solicitation was previously presented by the browser client; and

executing the additional computer-readable instructions if the timestamp value indicates passage of a period of time satisfying a prescribed wait period between consecutive presentations of the on-line survey solicitation by the browser client on the user computer.

2. (Canceled)

3. (Previously Presented) The method of claim 1, wherein the accessing step comprises receiving cookie data from the browser client indicative of a previous presentation of the on-line survey solicitation.

4. (Canceled)

5. (Previously presented) The method of claim 1, further comprising sending the block of data, including the additional computer-readable instructions, to the browser client over a computer network.

6. (Previously presented) The method of claim 1, further comprising:

presenting the on-line survey solicitation thereby soliciting the user to take the on-line survey,

generating, in association with the presenting step, cookie data including the timestamp value to indicate that the on-line survey solicitation was presented by the browser client; and

sending the generated cookie data over a computer network to the browser client.

7. (Previously presented) The method of claim 1, further comprising:

executing the additional computer-readable instructions to perform steps of:

referencing a frequency parameter that influences the frequency of presenting the on-line survey solicitations; and

determining whether or not to present the on-line survey solicitation via the browser client based, in part, on the frequency parameter.

8. (Previously Presented) The method of claim 7, wherein the on-line survey solicitation is presented as part of a campaign, wherein the frequency parameter has a value that is at least partially a function of an amount of time remaining in the campaign, the method further comprising calculating the value of the frequency parameter according to an algorithm that incorporates the amount of time remaining in the campaign.

9. (Previously Presented) The method of claim 7, wherein the on-line survey solicitation is presented as part of a campaign, wherein the frequency parameter has a value that is at least partially a function of an amount of time remaining in the campaign, the method further comprising determining the value of the frequency parameter by referencing a look-up table that correlates a plurality of possible times remaining in the campaign with corresponding possible frequency values.

10. (Previously presented) The method of claim 1, further comprising executing the additional computer-readable instructions to perform steps of:

generating a random number;

determining whether the random number falls within a set of numbers that correspond to a frequency with which the on-line survey solicitation is presented via browser clients; and

presenting the on-line survey solicitation based on the determining step.

11. (Previously presented) The method of claim 1, further comprising:

presenting the on-line survey solicitation as a pop-up window; and

in response to activation of a link within the pop-up window, sending the on-line survey in the form of a web page to the browser client, the on-line survey comprising questions regarding a product or service advertised in the on-line advertisement.

12. (Previously presented) The method of claim 1, further comprising:

presenting the on-line survey solicitation as a pop-up window; and

in response to activation of a link within the pop-up window, sending the on-line survey in the form of a web page to the browser client, the on-line survey comprising questions regarding a product or service that is not advertised in the on-line advertisement.

13. (Previously presented) A method for soliciting a user of a user computer to take an on-line survey, the user computer being linked to a computer network and running a browser program, the method comprising:

receiving, by an advertisement server, a request issued by the browser for one or more files comprising an on-line advertisement;

sending, by the advertisement server to the user computer in response to the request issued by the browser, the one or more files comprising the on-line advertisement and in addition including further computer-readable instructions that facilitate decision-making steps for determining whether to present an on-line survey solicitation via the browser, wherein acceptance of the on-line survey solicitation by the user results in presentation of an on-line survey via the browser;

accessing, on the user computer, cookie data for the browser including a timestamp regarding previous presentation by the browser of the on-line survey solicitation; and

executing the further computer-readable instructions if the timestamp value indicates passage of a period of time satisfying a prescribed wait period between consecutive solicitations on the user computer to take the on-line survey.

14. (Original) A computer-readable medium having stored thereon computer-readable instructions for performing the method of claim 13.

15. (Previously presented) The method of claim 13, wherein the one or more requested files comprise computer-readable instructions for displaying the on-line advertisement, and wherein the further computer-readable instructions call a routine that decides whether or not to solicit the user to take the on-line survey based on a frequency parameter, the frequency parameter being indicative of a probability that, in response to the selectively modifying step, the on-line survey solicitation will be submitted for presentation by the browser.

16. (Original) The method of claim 15, further comprising:

sending further script to the browser comprising instructions for displaying a pop-up window that, when clicked on by the user, causes the browser to download a web page that includes the on-line survey.

17. (Previously presented) A system for conducting an on-line survey, the system comprising:

a client computer for interacting with a user;

a web server in communication with the client computer;

an advertisement server;

a survey logic server in communication with the client computer; and

computer-readable instructions for:

requesting a web page to be sent from the web server to the client computer, the web page including a reference to an on-line advertisement to be presented on the client computer;

requesting, by the client computer the on-line advertisement from the advertisement server for presentation on the client computer; and

sending an on-line survey solicitation associated with the on-line advertisement from the survey logic server to the client computer based at least in part on a stored timestamp value on the client computer indicative of a period of time that has passed since a previous presentation of the on-line survey solicitation on the client computer, wherein acceptance of the on-line survey solicitation by the user results in presentation of an on-line survey on the client computer.

18. (Canceled)

19. (Canceled)

20. (Canceled)

21. (Previously presented) The system of claim 17, wherein the sending step comprises:

invoking a routine at the survey logic server that compares a random number to a set of values based on a frequency parameter to determine whether to send the on-line survey solicitation to the client computer.

22. (Previously Presented) The system of claim 21, wherein the on-line survey solicitation is presented as part of a campaign, and wherein a value of the frequency parameter is at least partially a function of elapsed time in the campaign.

23. (Previously presented) The system of claim 22, wherein the frequency parameter is determined according to an algorithm.

24. (Previously Presented) The system of claim 22, wherein the frequency parameter is determined by referencing a look-up table.

25. (Canceled)

26. (Previously presented) The system of claim 17, wherein the advertisement server adds first computer-readable instructions, for invoking a decision routine, to the advertisement data when consideration is to be given to sending the on-line survey solicitation to the computer.

27. (Previously Presented) The system of claim 26, wherein the survey logic server provides the first computer readable instructions to the ad server.

28. (Previously presented) The method of claim 1 wherein the decision-making steps comprise generating a random number on the user computer; and wherein the method further comprises:

applying a frequency parameter value to the random number to determine whether to present a survey invitation on the user computer.

29. (Previously presented) The method of claim 28 wherein the frequency parameter value is specified by a survey logic server.

30. (Previously presented) The method of claim 29 further comprising the step of changing the frequency parameter value during a survey campaign.

31. (Previously presented) The method of claim 29 wherein the executing step comprises providing the random number to the survey logic server, and wherein the survey logic server performs the applying step.

32. (Previously presented) The method of claim 31 wherein the random number is appended to a URL used by a browser on the user computer to contact the survey logic server.

33. (Previously presented) The method of claim 1 wherein the prescribed wait period is specified by a survey logic server.

Evidence Appendix

Not applicable.

Related Proceedings Appendix

Not applicable.